

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

DORA MOYA, Personal Representative
of the Estate of Ernest Moya,
and DORA MOYA, Individually,
Plaintiff,

v.

1:14-CV-01060-WJ-SCY

THE UNITED STATES OF AMERICA,
FIRST CHOICE COMMUNITY HEALTHCARE, INC.
ROBERT DEFELICE, Individually,
and DR. LETITIA CLIFFORD, Individually,
Defendants,

NOTICE OF VOLUNTARY DISMISSAL

COMES NOW the Plaintiff in this matter and hereby gives notice of her voluntary dismissal of this matter pursuant to Rule 41 of the Federal Rules of Civil Procedure. The Plaintiff states as the basis of this Notice that the parties have satisfactorily resolved all issues between them. Specifically, the parties reached a settlement agreement as to Count II (Medical Malpractice) and Count III (Wrongful Death) of the Plaintiff's Complaint as to damages alleged in those counts only (loss of chance of life, pain and suffering, and emotional distress). Pursuant to the agreement and satisfaction of the settlement, the Plaintiff hereby dismisses all claims in this action with prejudice.

The Defendants stipulate and agree to this Notice of Voluntary Dismissal.

/s/ Mitchel S. Burns
Mitchel S. Burns for Plaintiff

/s/ Jennifer Olson
Jennifer Olson for Plaintiff

/s/ Erin Langenwalter
Erin Langenwalter for Defendant

CERTIFICATE OF SERVICE

I certify that on March 4, 2016, I filed the foregoing electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means.

The United States of America
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/s/ Mitchel S. Burns
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